

**Committee on Employment of People with Disabilities
Wednesday, November 19, 2014, 8:30 a.m. – noon
Prairie Rose Room – Prairie Hills Plaza
1237 W. Divide Ave., Bismarck, ND**

Members Present

Barb Murry
Gerry Teevens
Cheryl Wescott

Vickay Gross
Ryan Volk
Eric Wittliff (by phone)

Chad Kourajian
Paul Vardanega

Members Absent

Tina Bay

Others Present

Russ Cusack
Cheryl Hess
Cally Musland

Brianne Skachenko
Barb Burghart
Beth Steffan

Jamie Wilke
Mary Robinson

Roll Call

Barb Murry called the meeting to order. Roll call was taken and introductions were made.

Approval of Agenda

The agenda was revised prior to today's meeting per request of Barb Murry. Utah's Strategic Plan was removed and National Core Indicators and Discussion on DD and VR Employment Definitions were added.

Approval of August 2014 Minutes

Action: A motion was made by Cheryl Wescott and seconded by Gerry Teevens to approve the August 2014 minutes. Motion carried.

Approval of 2015 Meeting Dates

February 18 may be an issue due to the legislative session. Gerry Teevens will check into availability of the conference room in her area once renovations are completed.

Action: A motion was made by Chad Kourajian and seconded by Gerry Teevens to approve the 2015 meeting dates as they are, knowing that there are some complications. Motion carried.

Dr. Marv Erhardt's Report to Committee

Dr. Erhardt was asked to analyze information from the different work groups focusing on competitive and integrated employment and to provide recommendations to maximize efforts and avoid duplication of efforts. Dr. Erhardt was also asked to provide recommendations to help the committee work more efficiently and effectively to ensure

that its purpose/mission is achieved. Russ Cusack summarized the recommendations provided in Dr. Erhardt's report.

The committee discussed ways to encourage work groups/individuals to participate in committee meetings, helping the committee achieve its purpose/mission. Agendas and minutes are publically posted and press releases are issued, but agendas could also be sent to core work groups that may be interested. Committee members could also forward agendas individually to interested parties. By attending meetings, work groups would know what the others are doing thereby avoiding duplication of efforts. The Governor's committee will have standing agenda items for updates from these related committees.

Discussion followed on bringing the work groups together to do joint planning. It was suggested that time be set on each meeting's agenda to plan for the strategic plan. Consensus was to look at this at the May meeting due to the legislative session occurring in February.

This committee should develop the master strategic plan for all groups since it represents other groups besides DHS. The work groups who have strategic plans should be brought together to assist in development of the overall plan. Barb Murry discussed a strategic plan that was provided at a recent six state summit she attended. It was suggested that Barb send out this strategic plan so it can be used as a reference. The results of the triennial needs assessment sent out by DVR will be available in the spring. The survey results will be helpful when developing the strategic plan.

It was suggested that a subcommittee work on logistical planning for the strategic planning process. Discussion followed on enlisting a facilitator to assist with the strategic planning process, possibly someone with experience in working with committees on employment first issues. The subcommittee will look into availability of facilitators and the time frame needed to develop a report. Barb will investigate who Utah's DD Division had facilitate their Employment First strategic plan and will let the subcommittee know. The ELC may have a recommendation also.

Action: A motion was made by Gerry Teevens and seconded by Chad Kourajian that a subcommittee consisting of Vickay Gross, Cheryl Wescott, and Patty Wanner bring a proposal to the February meeting for the development of a strategic plan for review and approval. Motion carried.

National Core Indicators

Barb Murry provided information on the national core indicators done by UMass. Forty-four states are participating. She will email the PowerPoint for those interested in viewing. It was noted it is the DD division's determination to apply to be a part of the national core indicators study. There are also financial considerations. Barb Murry and Brianne Skachenko will look into the process for more state involvement in the core indicators. They will provide a report at the February meeting.

Barb Murry discussed DD and VR employment definition concerns regarding individual employment supports and pre-vocational services. Will policy changes need to be

made so improvements can happen? This could involve DD making changes to the waiver.

Brianne Skachenko distributed copies of draft services definitions. The services definitions need to be approved by the executive management team and CMS. Tina Bay has requested that questions/comments be put in writing and forwarded to her or Brianne as soon as possible. Brianne explained that the services definitions would be for new individuals coming in. There will need to be a transition plan developed to move people into the services once these definitions are approved. This will occur over a length of time as CMS has to approve the definitions first. The transition would not happen until the new services definitions are in effect. The goal of the new services definitions would be to ultimately help team planning in putting the person in the appropriate service. The new definitions will not be in effect July 1, 2015.

Employment Survey

This agenda item will be held for the next meeting.

Data Collection Requested by Committee

Russ Cusack discussed Section 511 of WIOA that concerns individuals age 24 and younger with disabilities, that they cannot be employed for subminimum wage unless first referred to VR. Russ clarified that no entity can employ a person under the age of 24, utilizing a minimum wage certificate unless these criteria are met. This new federal law becomes effective in July 2016.

Gerry Teevens will bring data information to the February meeting on the number of students graduating who will be impacted by WIOA and be referred to VR.

Students under the age of 21 remain eligible for IDEA even if they choose to graduate. The DD Waiver contains language prohibiting them from eligibility while eligible for IEP services. The DD Division was asked to reexamine the waiver language that applies to ages 18-21 so students who do not need to stay in school or do not want to stay in school have the option to go to work. The committee requested that Tina Bay bring to the February meeting some of the barriers that DD envisions with making this change in waiver language.

Barb Murry reported that the letter went to the Governor recommending and expansion of funds for employment services to eliminate the waiting list for extended services for employment. The committee did not receive a response but this was not expected. It was acknowledged informally that the Governor's office received the letter and there had been more attention brought to the issue addressed.

Employment Project with ND SCDD

Cheryl Hess informed the Committee that the DD Planning Council had issued an RFP three times recently with no entity responding. The scope of work in the RFP was to solicit proposals to assist individuals with Intellectual Disabilities/Developmental Disabilities (ID/DD), ages 21-30, who are currently receiving day supports, secure and maintain competitive integrated employment. The program must incorporate customized employment to include person-centered approaches with individuals and

their families and offer a variety of services and supports to enhance the likelihood of employment outcomes. A meeting has been scheduled for November 24 to solicit ideas for the employment council to pursue with grant money for next year. Divisions and outside providers have been invited to the meeting. Cheryl encouraged members of this committee to attend Monday's meeting and share their ideas.

Cheryl discussed working with Jake Reuter, Money Follows the Person, on a proposal for rebalancing dollars that would occur over a four year period of time. They would look at what the council can do to support the employment goal, and it would include gathering stakeholders' input and coordination with VR and DD.

DOJ Case Update

Beth Steffan discussed background information on the Department of Justice Olmstead Enforcement and she provided information on two recent cases that occurred in Oregon and Rhode Island. Beth also discussed two examples of individuals who have benefitted from the Rhode Island settlement agreements.

Transition Plan and Status of Waiver Amendments Service Descriptions

States are required to submit a statewide transition plan. Public comment is now closed. DD will review comments and formulate changes. The statewide transition plan must be approved before another waiver amendment is submitted.

Brianne Skachenko reported that a DD waiver amendment to increase the current capacity in the waiver is currently out for public comment. The service planning process will also need to be addressed. Public comment closes November 20. It is hoped to submit the waiver amendment to CMS shortly after this date.

The next meeting is scheduled for Wednesday, February 18, 2015, from 8:30 a.m. – noon.

Meeting adjourned at 11:30 a.m.